

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Mines & Minerals – 2nd Renewal of Mining Lease for Limestone over an extent of 80.44 hectares in Sy.Nos.540, 541, 542 and 544 of Kurregad Village (Rally RF) Solvoilodhi, Kasipet Mandal, Adilabad District, in favour of M/s Associated Cement Company Limited for a further period of 20 years, w.e.f.11-02-1999 and transfer of the same Mining Lease in favour of M/s Mancherial Cement Company (P) Limited for the un-expired portion of lease period i.e. upto 10-02-2019 – Orders - Issued.

INDUSTRIES AND COMMERCE (M-III) DEPARTMENT

G.O. Ms. No. 224

Dated: 16-08-2008.

Read the following:-

- 1 G.O.Ms.No.893, Industries & Commerce (M-III) Department dt.12-09-1968.
- 2 G.O.Ms.No.19, Industries & Commerce.(M-III) Department dt.31-01-1997.
3. From M/s A.C.C.Limited, 2nd RML application dt.05-02-1998.
4. Govt.letter No.3652/M.III(1)/97-6, dt.15-4-1999.
5. G.O.Ms.No.90, EFS&T (For.I) Department, dt.21-07-2000.
6. Govt. Memo No.3652/M.III(1)/97-13, dt.21-10-2000.
7. From the Ministry of Environment & Forests, GOI, New Delhi, Letter No.8-43/99-FC, dt.09-04-2002, 18-07-2002 and 05-12-2007.
8. G.O.Ms.No.295, Industries & Commerce (IF Cell) Department, Dt.28-10-2005
9. From M/s A.C.C.Limited, TML application (along with Notarized Affidavit) dt. 12-07-2006
10. From M/s M.C.C.Ltd, TML application (along with Notarized Affidavit) dt.12-07-2006
- 11 From the DMG., File No.27146/R8-2/2006, Dt. 25-11-2006 & dt.23-01-2008.
12. Govt. Memo No.10756/FOR.I(1)/2006-2, dated 16.01.2008
13. Govt., Lr. No. 18414/M-III(2)/2006-1, Dated 27-2-2008.
14. From the Controller of Mines, Indian Bureau of Mines, Nagpur, Lr.No. N-11011/49/RML/2006-CCOM-11393, dt 04-06-2008.

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ORDER:

In the reference 1st read above, Government have granted a Mining Lease for Limestone over an extent of 386.73 Acres in Sy.Nos.540, 541, 542 and 544 in Rally RF, Luxettipet Taluq, Adilabad District for a period of 20 years, in favour of M/s Associated Cement Company Limited. In the G.O. 2nd read above, the Government have granted renewal of M.L. over an extent of 92.18 Hectares for a further period of 10 years w.e.f. 11-2-1989 to 10-2-1999 in favour of M/s A.C.C.Ltd.

2) In the reference 3rd read above, M/s Associated Cement Company Limited have filed an application for grant of 2nd Renewal of Mining Lease for Limestone over an extent of 92.18 hectares in Sy.Nos.540, 541, 542 and 544 of Kurregad Village (Rally RF) Solvoilodhi, Kasipet Mandal, Adilabad District for a further period of 20 years, w.e.f. 11-02-1999.

3) In the reference 4th read above, the Government have requested the Ministry of Environment & Forests, Government of India to accord permission for diversion of forest land over an extent of 92.18 hectares for grant of 2nd RML in favour of M/s Associated Cement Company Limited, as the State Government in Environment, Forest , Science & Technology Department have already submitted the necessary proposals to Government of India for diversion of said Forest Land.

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4) In the reference 5th read above, as per the approval of Government of India, the Government in Environment , Forest , Science & Technology (For.I) Department have issued orders according permission for diversion of 55.17 hectares of forest land for 2nd RML in favour of M/s Associated Cement Company Limited, for a period of 10 years.

5) In the reference 6th read above, the Government have examined the 2nd renewal proposals submitted by the Director of Mines & Geology and issued a notice to M/s Associated Cement Company Limited for submission of Approved Mining Plan.

6) In the reference 7th read above, the Ministry of Environment & Forests, Government of India have also conveyed their approval for diversion of additional area of 25.27 hectares forest land for mining purpose to M/s Associated Cement Company Limited. Accordingly, M/s ACC Ltd. have submitted the Mining Plan for the total extent of 80.44 hectares (55.17 + 25.27) to the Indian Bureau of Mines for approval. In turn, the IBM has also approved the Mining Plan for the total extent of 80.44 hectares.

7) In the G.O. 8th read above, the Government have accorded permission to M/s Associated Cement Company Limited for sale of the land of 263 acres 14.27 guntas along with the buildings, plant and Machineries, colony etc. belonging to its Mancherial Cement works unit situated in and around Mancherial village of Adilabad District to another corporate.

8) In the reference 9th read above, M/s Associated Cement Company Limited have filed a transfer of mining lease application in favour of M/s Mancherial Cement Company (P) Limited, which has purchased the Mancherial Cement works of M/s Associated Cement Company Limited and intend to take the Mining Leases in favour of them on transfer, since these were the captive mines for Mancherial Cement Works. M/s Mancherial Cement Company (P) Limited have also submitted an application along with an affidavit stating that they are agreeing for transfer of mining lease for the un-expired period of lease without any financial implications and any liabilities those that may arise after the sale deed shall be discharged by M/s Macherial Cement Company (P) Limited after transfer of mining lease, vide reference 10th read above.

9) In the reference 11th read above, the Director of Mines & Geology as per the survey and inspection report of the Assistant Director of Mines & Geology, Mancherial has recommended for grant of 2nd Renewal of Mining Lease for Limestone over an extent of 80.44 hectares in Sy.Nos.540, 541, 542 and 544 of Kurregad Village (Rally RF) Solvoilodhi, Kasipet Mandal, Adilabad District, in favour of M/s Associated Cement Company Limited for a further period of 20 years, w.e.f.11-02-1999 and to transfer the same Mining Lease from M/s Associated Cement Company Limited to M/s Mancherial Cement Company (P) Limited for the un-expired portion of lease period, under Rule 37(1) of M.C.Rules, 1960, subject to submission of consent for Establishment (CFE) from the A.P.Pollution Control Board and Environmental Clearance from the Government of India under Environmental Impact Assessment as per S.O.60(E), dt.27-1-1994.

10) In the reference 12th read above, the Government in Environment, Forest, Science & Technology (For.I) Department have accorded permission for transfer of lease from M/s ACC Ltd (original user agency) to M/s MCC Ltd. (the new user agency) in respect of diversion of 80.44 hectares of forest land in RF Rally Salvoilodh for mining and 20.02 hectares of forest land for Ropeway (totaling to 100.46 hectares) as per the approval of Ministry of Environment and Forests, Government of India, vide their Lr.No.8-43/99-FC, dated 5.12.2007, subject to the conditions mentioned therein.

11) In the reference 13th read above, Government have proposed to grant 2nd Renewal of Mining Lease for Limestone over an extent of 80.44 hectares in Sy.Nos.540, 541, 542 and 544 of Kurregad Village (Rally RF) Solvoilodhi, Kasipet Mandal, Adilabad District, in favour of M/s Associated Cement Company Limited for a further period of 20 years, w.e.f.11-02-1999, subject to clearance from the Indian Bureau of Mines and subject to satisfaction of MM(D&R) Act, 1957 and the rules made thereunder.

12) In the reference 14th read above, the Indian Bureau of Mines have stated that Salvoilodhi Limestone mining lease was granted to M/s Associated Cement Company Limited (Manchierial Cement Works) on 11-02-1969 for 20 years over an area of 156.56 hectares of Kurregad village (Ralli R.F.). The entire area falls under reserve forest. The Salvoilodhi Limestone Mine is a captive mine for a cement plant capacity of 0.335 million tonnes per annum. The lease was first renewed in 1989 for ten years and expired on 10-02-1999. At the time of first renewal M/s A.C.C. applied for 122.61 hectares of lease surrendering 33.95 hectares. However, the MoEF gave permission for diversion of only 92.18 hectares in the year 1994 for a period of ten years. At the time of first renewal, permission was granted for mining over an area of 55.17 hectares. On a request from the party, State Government reviewed the proposal in consultation with IBM and an area of 80.44 hectares was recommended for forest clearance and forwarded to Ministry of Environment & Forests. The Ministry of Environment & Forests, after careful consideration, conveyed its approval for grant of another 25.27 hectares of land in addition to the earlier grant of 55.17 hectares. Thus the total lease area applied for renewal is 80.44 hectares. The Mining plan under Rule 24A of M.C.Rules,1960 was approved on 29-12-2001. Further, the scheme of mining was approved on 13-05-2004. Finally, the Indian Bureau of Mines have conveyed their approval for grant of 2nd Renewal of Mining Lease for Limestone over an area of 80.44 Hectares in Sy.Nos. 540, 541, 542 and 544 of Kurregad village (Rally RF) Solvoilodhi, Kasipet Mandal, Adilabad District in favour of M/s A.C.C. Ltd., for a period of 20 years.

13) Government, after careful examination of the matter, hereby grant of 2nd Renewal of Mining Lease for Limestone over an extent of 80.44 hectares in Sy.Nos.540, 541, 542 and 544 of Kurregad Village (Rally RF) Solvoilodhi, Kasipet Mandal, Adilabad District, in favour of M/s A.C.C.Ltd. for a further period of 20 years, w.e.f.11.02.1999 and also accord permission to M/s Associated Cement Company Limited for transfer of said Mining Lease in favour of M/s Mancherial Cement Company (P) Limited, for the un-expired portion of lease period upto 10-02-2019, under Rule 37(1) of M.C.Rules,1960, subject to submission of Consent for Establishment (CFE) from Andhra Pradesh Pollution Control Board and Environmental Clearance from Ministry of Environment & Forests, Government of India as per the Notification No. S.O. 1533, dated 14.09.2006 and subject to the provisions of Mines and Minerals [D&R] Act, 1957 and the rules made thereunder in general, also subject to the conditions in Form-K prescribed under the Mineral Concession Rules, 1960 and subject to the additional conditions specified in the Appendix to this order and also permit M/s A.C.C.Limited to transfer the same in favour of M/s M.C.C.Limited including the forest land of 20.02 hectares used for installation of aerial ropeway, as permitted vide reference 12th read above i.e, totaling to 100.46 hectares.

14) The rates of royalty, dead rent, cess, surface rent and water charges shall be collectable as follows or as revised by the Government from time to time:

I. Rates of Royalty:

LIMESTONE ::

(a) L.D.Grade (Less than one and half per cent silica content)	Fifty five rupees per tonne
(b) Others	: Forty five rupees per tonne

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II. Dead rent (Rates of dead rent in rupees per hectare per annum or as revised by Government from time to time)

3rd year onwards
400

III. Cess, Surface rent and water charges	As fixed by the Government from time to time.
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15) The grantee should pay a deposit of Rs.10,000/- as prescribed under rule 32 of the Mineral Concession Rules, 1960 before the lease deed is actually executed.

16) The grantee should execute the renewal lease deed within the time limit specified in Rule 31 of Mineral Concession Rules, 1960 and also to execute the transfer lease deed within 3 months as specified under Rule 37 (A) of M.C.Rules,1960

17) The terms and conditions referred to in para 13 of this order are subject to such further modifications, additions and alterations as may be ordered before the lease deeds are executed.

18) The Director of Mines and Geology, Hyderabad and Assistant Director of Mines & Geology, Mancherial, Adilabad District shall take necessary further action for the execution of renewal lease deed and transfer deed after satisfying themselves that the grantee fulfils all the required provisions of the amended Act and Rules. As soon as the deeds are executed, the date of such executions should be reported to the Government.

Note:- The grant is liable for cancellation, should it be found at a later date that it was grossly inequitable or was made under a mistake of fact or owing to misrepresentation or fraud or in excess of authority.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**Y. SRILAKSHMI
SECRETARY TO GOVERNMENT**

To

M/s Associated Cement Companies Limited, P.O.Mancherial Cement Works,
Mancherial-504209, Adilabad District (AP) (BY RPAD)

M/s Mancherial Cement Company (P) Limited, H.No.6-3-655/2/4,
Somajiguda, Hyderabad-500 082 (BY RPAD)

The Director of Mines and Geology, Hyderabad.[w.e:File & AMP]

Copy to:

The Asst. Director of Mines & Geology, Mancherial, Adilabad District.

The District Collector, Adilabad District.

The Secretary to Govt. of India, Ministry of Mines, Shastri Bhavan,
New Delhi-110 001.

The Controller General, Indian Bureau of Mines, 2nd Floor, "A" Block,
Indira Bhavan, Civil Lines, Nagpur-440 001.

The Director General, Mines Safety, Dhanbad, Bihar.

The Regional Controller of Mines, Koti, Hyderabad.

SF/SC(C.No.18414/M.III(2)/2006)

**"Copy of this order is available on Internet and can be accessed
at address <http://www.ap.gov.in/goir>".**

//Forwarded :: By Order//

SECTION OFFICER.